

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
DEPARTMENT OF HEALTH



*Safe and Healthy Lives in Safe and Healthy Communities*

**Proposed *Rules and Regulations for Licensing of Nursing Facilities* and Proposed New  
*Rules and Regulations Pertaining to Nursing Facility Receivership***  
Community Review Meeting Minutes  
Thursday, 15 December 2005

Persons in Attendance: See attached sign-in sheets.

The meeting was convened at 10:05 a.m. by Raymond Rusin, Chief of the Office of Facilities Regulation, who provided introductions and an overview of the proposed rule changes. Generally, these proposed regulations incorporate the provisions of Public Laws 05-157, 05-158, 05-226, and 05-248 enacted in July 2005. Additional new language is proposed related to the use of "resident attendants" for assistance with residents' eating and hydration.

Donald Williams, Associate Director for Health Services Regulation, began with a discussion of the nursing facility receivership regulations. There were no specific comments from the group regarding requirements set forth in these regulations, so discussion shifted to the nursing facility regulations.

The following sections of the proposed nursing facility regulations were discussed: 1.19; 1.32; 1.34; 3.5; 10.2; 11.8; 13.2; 13.3; 14.11; 14.14; 18.4; 19.18.1; 19.28; 19.29; 19.34; 24.4; 24.5; 24.6; 37.7; and 55.2.

Some of the issues/suggestions raised by the group include the following:

- Should the definitions of "marginal financial status" and "severe financial difficulties" be deleted from the regulations; as they do not appear in the body of the document;
- Could the definition for "turnover rate" be the same as that contained in the Medicaid cost report ("BM-64" report);
- Should section 3.5 of the nursing facility regulations be moved into the receivership regs;
- Should section 5.17 related to a management contract be copied into the section on initial licensure;
- Could sections 10.2 (c)(2)(4) be stricken;
- Could section 11.8 be stricken (redundant with the sections above it);
- Could forms be developed by the Department related to the requirements of section 13.2 (credentialing of the medical director)? Many facilities currently do not perform credentialing functions for physicians.

- Could volunteers be eliminated from the photo identification requirement of section 14.14;
- Should section 18.4 require that patients be given a choice regarding facilities to which they are referred;
- Section 19.18.1 should include the provisions of RIGL 23-17.5-25 regarding “bed hold” provisions;
- Section 19.34 should be moved to the top of the section on family councils to clarify that such councils are not required, but are optional;
- Should eating assistants be included in section 24.4 (a);
- Why do staff posting records (section 24.5) have to be kept for five years;
- Could more detail be provided in section 24.6.1 regarding the annual report;
- Could section 37.7 be stricken; facilities would like to receive the stockpile medications directly from the state agency, not the municipalities.

Mr. Rusin indicated that all of the issues raised by the group related to these regulations would go back to staff for further discussion, review, and re-drafting. A public hearing will be scheduled for early 2006.

The meeting adjourned at 11:45 a.m.

Respectfully submitted,

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 Health Services Regulation  
 December 29, 2005